July 30, 2024

Electronically Filed
Hon. James B. Clark, III, U.S.M.J.
United States District Court, District of New Jersey
Martin Luther King Building & U.S. Courthouse
50 Walnut Street
Newark, New Jersey 07101

Re: Matthew Penso v. Port Authority of New York and New Jersey, et. al.
Civil Action No. 23-474

Hon. James B. Clark,

This morning, our office was able to obtain a portion of the medical records concerning the treatment that the plaintiff has undertaken in Italy for his complex regional pain syndrome. Please find them annexed. It is our understanding that on July 26, 2024, the plaintiff completed a Neridronate infusion protocol, which was administered over four separate visits on or about July 19, July 22, July 24 and July 26, 2024.

As can be seen from the annexed medical record, which contains a translation from Italian to English, the efficacy of the treatment is typically demonstrated 20 to 40 days after the infusion protocol. The plaintiff's response to this recent medical treatment is an important consideration for experts in this matter. The plaintiff has not yet returned from Italy as he is still recovering from his recent medical treatment and does not plan to return to the US until next week, depending on his condition.

Accordingly, it is requested that reconsideration of the joint request for an extension of expert discovery be granted pursuant to these circumstances.

Respectfully submitted,
Elefterakis, Elefterakis & Panek

s/ Gina Nicasio
Gina M. Nicasio, Esq.

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Sig. Matthew Penso,

Diagnosi: Morbo di Sudek

Si prescrive:

- Protocollo Standard Nerixia (no premedicazione):
  - Nerixia 100 mg diluiti in 500 cc di soluzione fisiologica ed infusi in due ore

Genova, 18/07/2024

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Alla c.a. del Medico Curante del Sig. Matthew Penso,

Egregio Collega,

Il suo assistito Sig. Matthew Penso, ha ricevuto in data odierna una infusione endovenosa con un bisfosfonato (Nerixia, Neridronato 100 mg in 500 cc di fisiologica, nell'arco di 120 minuti). Il trattamento infusionale con Nerixia è stato eseguito dopo verifica degli esami di laboratorio recenti (nella norma). Questa terapia endovenosa potrebbe comportare (generalmente solo dopo la prima infusione e in circa il 30% dei casi) una reazione simil-influenzale (con artralgie e mialgie diffuse, e/o iperpiressia), entro i primi 2-3 giorni dall'infusione.

In caso di febbre e dolore, si consiglia inoltre di assumere anti-piretici per tutta la durata della sintomatologia.

Cordiali saluti.

Genova, 18/07/2024

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TO WHOM WHO MAY CONCERN

Dear Colleague,

We have evaluated Mr. Matthew Penso presenting with Complex Regional Pain Syndrome.

Given our clinical examination and the primary diagnosis, we have proposed a treatment with neridronate, a nitrogen-containing bisphosphonate that is currently approved in Italy for the management of Complex Regional Pain Syndrome.

The treatment consists in four infusion of neridronate 100 mg. over the period of 10 days, according to a standard protocol.

On the basis of clinical experience with neridronate in Complex Regional Pain Syndrome, it is expected that a positive response on clinical symptoms, particularly pain, will start within 20 to 40 days after the last infusion, peaking at 6 months. However, it is possible that it will require a longer time.

Please contact us for any query.

Best Regards,

Genova, 18/07/2024

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Dear Mr. Matthew Penso,

Today, you have been prescribed a treatment course with Nerixia (Neridronic acid 100 mg) for the management of Complex Regional Pain Syndrome. Neridronic acid has been approved in Italy for the management of Complex Regional Pain Syndrome, for the management of Osteogenesis Imperfecta and for the management of Paget disease of the bone.

Neridronic acid is generally safe and well tolerated, being an intravenous amino-bisphosphonate. However, it is possible that after the first infusion you will present with an acute phase reaction characterized by fever and muscle-skeletal pain.

The acute phase reaction usually occurs 24-36 hours after the first infusion and only after the first/second exposure to a nitrogen-containing bisphosphonate (namely Neridronic acid), it is self-limiting, and usually lasts less than two days. Moreover, the pain and the fever may be reduced and attenuated by common pharmacological agents used in the management of pain and fever.

We recommend to stay well hydrated. Thus, he should drink at least 1 litre and a half of water in the next 3 days after the infusion.

Best Regards

Genova, 18/07/2024

Dott. Andrea Giusti

Hereby, the undersigned Matthew Penso declares and certifies that:

- I have been informed about the treatment with neridronate, its indications, its efficacy in complex regional pain syndrome, and its safety and tolerability;
- I am aware that neridronate is the only bisphosphonate approved in Italy for the management of complex regional pain syndrome;
- I am aware of the reasons that determined the prescription of neridronate treatment to me;
- I agree with the treatment proposed.

Genova, 18/07/2024

In Faith

Matthew Penso